

**REGULAR MEETING  
OF  
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chairman Dallas Winslow in the Hearing Room, Public Service Commission, 861 Silver Lake Boulevard, Dover, Delaware, on Thursday, November 14, 2019, at 12:57 p.m. with the following Commissioners in attendance: Joann Conaway, Manubhai “Mike” C. Karia, and Kim Drexler. Commissioner Harold Gray listened in via phone but did not participate in the meeting.

The following Staff members were in attendance: Dr. Raj Barua, Matthew Hartigan, Constance McDowell, Donna Nickerson, Samantha Hemphill, Rate Counsel James McC. Geddes, Esq., Deputy Attorneys General William O’Brien, Esq., and Thomas Walsh, Esq.

2. CONSENT AGENDA ITEMS

A motion was made by Commissioner Conaway to adopt the following Consent Agenda:

IN THE MATTER OF THE APPLICATION OF ARTESIAN WASTEWATER MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICE PURSUANT TO 26 *DEL. C.* §203D. (“YORKLYN “) (FILED OCTOBER 2, 2019) – PSC DOCKET NO. 19-0625

- Commission considered Staff Memorandum and Proposed Order No. 9495.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED OCTOBER 21, 2019) – PSC DOCKET NO. 19-0711

- Commission considered Staff Memorandum and Proposed Order No. 9499.

The motion was seconded by Commissioner Drexler and approved 4-0.

Chairman Winslow announced a change in order on the Regular Agenda moving Item 5, Docket No. 19-0724 to Item 1 and Item 1, Docket No. 18-114, to Item 5.

3. REGULAR AGENDA ITEMS

IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION FOR APPROVAL OF ITS ENVIRONMENTAL RIDER RATE TO BE EFFECTIVE DECEMBER 1, 2019 (FILED OCTOBER 31, 2019) – PSC DOCKET NO. 19-0724

- Thomas Walsh, Esq. appeared on behalf of Staff.
- Marie Kozel appeared on behalf of Chesapeake Utilities Corporation.
- Andrew Slater and Regina Iorii, Esq., appeared on behalf of the Division of the Public Advocate

- A motion was made by Commissioner Drexler and seconded by Commissioner Karia approving proposed Order No. 9503 as presented; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF LEWES BOARD OF PUBLIC WORKS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (FILED JULY 9, 2019) – PSC DOCKET NO. 19-0444

- Thomas Walsh, Esq. appeared on behalf of Staff.
- Michael Hoffman, Esq., Taabicos Grosso, LLP, appeared on behalf of Lewes Board of Public Works.
- A motion was made by Commissioner Conaway and seconded by Commissioner Drexler approving proposed Order No. 9504 as presented; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF SUEZ WATER DELAWARE INC FOR A GENERAL INCREASE IN RATES AND A REVISION TO ITS GENERAL TARIFF (FILED SEPTEMBER 27, 2019) – PSC DOCKET NO. 19-0615

- William O'Brien, Esq. appeared on behalf of Staff.
- Pamela Scott, Esq., Saul Ewing Arnstein & Lehr, LLP, and Gary Prettyman appeared on behalf of Suez Water Delaware Inc.
- Andrew Slater and Regina Iorii, Esq., appeared on behalf of the Division of the Public Advocate
- A motion was made by Commissioner Karia and seconded by Commissioner Drexler approving proposed Order No. 9500; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. PURSUANT TO 26 *DEL. C.* § 215 FOR APPROVAL OF THE ISSUANCE OF FIRST MORTGAGE BONDS (FILED OCTOBER 18, 2019) – PSC DOCKET NO. 19-0710

- William O'Brien, Esq. appeared on behalf of Staff.
- Scott Stephan appeared on behalf of Artesian Water Company, Inc.
- A motion was made by Commissioner Karia and seconded by Commissioner Conaway approving proposed Order No. 9498; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE FORMAL COMPLAINT OF RICHARD SPINKS D/B/A GIGGLEBUGS, LLC AGAINST DELMARVA POWER & LIGHT COMPANY REGARDING THE DETERMINATION OF A TARIFF RATE CATEGORY (FILED NOVEMBER 8, 2018) – PSC DOCKET NO. 18-1194

- James McC. Geddes, Esq. appeared on behalf of Staff.
- Vicki Goodman appeared on behalf of Delmarva Power & Light Company.

- A motion was made by Commissioner Conaway and seconded by Commissioner Drexler tabling this matter until the December 5, 2019 Commission meeting; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

#### 4. DIRECTOR'S COMMENTS

- Dr. Barua announced the next Commission meeting would be held on Thursday, December 5, 2019.
- Dr. Barua announced that the Commission would go into Executive Session with the following in attendance: Chairman and Commissioners, Dr. Barua, Matthew Hartigan, Donna Nickerson, Constance McDowell, Samantha Hemphill, Public Advocate Andrew Slater, Regina Iorii, Deputy Attorney General representing the Public Advocate's office Deputy Attorneys General William O'Brien, Esq., and Thomas Walsh, Esq., under 29 *Del. C.* §10004 (b) (4) for purposes of discussing legal strategy or receiving legal advice/update of a privileged or confidential nature.
- A motion to enter into Executive Session was made by Commissioner Drexler and seconded by Commissioner Karia; the motion was approved 4-0.
- After the Commission came out of the Executive Session, a motion was made by Chairman Winslow and seconded by Commissioner Karia to have PSC's Counsel communicate in writing to DNREC indicating that the deadline to file was on November 13<sup>th</sup> and the PSC would like them to file their calculation in accordance with the rules and regulation. The PSC will hear the Rule to Show Cause at the next Commission meeting of December 5, 2019; the motion was approved 4-0.

This meeting was adjourned at approximately at 2:08 P.M.

Respectfully submitted,

/s/Donna Nickerson  
Secretary